

GAO

United States General Accounting Office

Report to Congressional Requesters

February 1997

HAITI

**U.S. Response to
Allegations of an
Assassination Plot**



DISSEMINATION STATEMENT A

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19970402 069

United States
General Accounting Office
Washington, D.C. 20548

National Security and
International Affairs Division

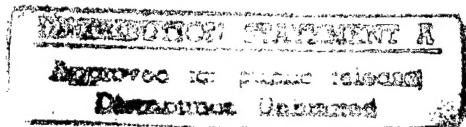
B-276242

February 14, 1997

The Honorable Jesse Helms
Chairman, Committee on Foreign Relations
United States Senate

The Honorable Strom Thurmond
Chairman, Committee on Armed Services
United States Senate

The Honorable Richard Armeay
Majority Leader
House of Representatives



The Honorable Benjamin A. Gilman
Chairman, Committee on International Relations
House of Representatives

The Honorable Floyd Spence
Chairman, Committee on National Security
House of Representatives

On March 28, 1995, Mrs. Mireille Durocher Bertin, a prominent attorney and critic of President Aristide and the government of Haiti, was assassinated. In response to your request, we are providing information regarding how the U.S. government handled the allegations it received regarding a plot to assassinate her. You asked us to respond to the following questions:

- Who decided that the government of Haiti was responsible for warning Mrs. Bertin of the assassination plot?
- Were other approaches to handling the assassination plot allegations considered?
- What information was available to U.S. decisionmakers on the involvement of Haitian officials in political violence?
- Was Mrs. Bertin warned of the assassination plot?
- Did the Haitian government investigate the assassination plot allegations?
- Are there U.S. laws, regulations, or guidelines governing the notification of targets of assassination plots?
- Since Mrs. Bertin was assassinated, has the United States warned any individuals in Haiti of threats against their lives?

Background

On September 30, 1991, 8 months after his inauguration as Haiti's first democratically elected president, Jean-Bertrand Aristide was overthrown by a military coup. On September 18, 1994, after 3 years of economic and diplomatic pressure, including the threat of direct U.S. military intervention, Haiti's military regime agreed to relinquish power and allow Aristide to return to office in October 1994. Among other things, this agreement allowed for the nonviolent entry of U.S. troops into Haiti on September 19, 1994. From September 1994 through March 30, 1995, the U.S.-led multinational force (MNF) of 20,000 U.S. and 4,100 foreign troops was deployed to Haiti to establish a "safe and secure environment." On March 31, 1995, this responsibility was transferred to the U.N. Mission in Haiti, with 6,900 troops, about half of whom were U.S. troops.

On March 19, 1995, a Haitian national working as a translator for the MNF informed U.S. troops that he was part of a conspiracy to assassinate Mrs. Bertin. The informant alleged that a group of four other Haitians would be meeting at his home later that day and that they would stake out Mrs. Bertin's house that night. He also said that the Minister of the Interior was somehow involved. MNF forces acted quickly to detain the informant, his wife, and the four suspects. Subsequently, on March 28, 1995, Mrs. Bertin was assassinated in the Haitian capital of Port-au-Prince while driving with a client to a meeting.

Results in Brief

The U.S. MNF Commander in Haiti decided that the responsibility for directly warning Mrs. Bertin of the threat against her life lay with the government of Haiti, and the U.S. Ambassador concurred. As part of the decision-making process, some U.S. Embassy officials initially argued that U.S. officials should warn Mrs. Bertin directly to guarantee that she was adequately alerted of the danger. MNF and U.S. Embassy officials ultimately decided to inform both President Aristide and Justice Minister Exume of the evidence they had regarding the plot and to urge them to warn Mrs. Bertin and investigate the plot. They did so on March 22, 1995. Embassy officials believed that notifying both the President and the Justice Minister would better ensure that Mrs. Bertin was warned, yet leave the government of Haiti responsible for the warning. According to MNF officials, U.S. officials told the President and Justice Minister that if they were not satisfied that Mrs. Bertin had been warned, they would warn her directly. Both the President and the Justice Minister assured U.S. officials that Mrs. Bertin would be warned and the allegations investigated immediately.

Cables, and other documents, as well as discussions indicate that MNF and Embassy officials were aware of allegations that high-level Haitian security officials might be implicated in violent activities. The officials indicated this did not influence the decision-making process.

It is impossible to determine whether Mrs. Bertin was adequately warned of the assassination plot, as no one witnessed the conversations between Mrs. Bertin and Justice Minister Exume. However, statements we obtained from family members, U.S. officials, Haitian government officials, and a U.N. representative provide information and perspectives on the events leading up to the assassination.

Mrs. Bertin's family members agree that Justice Minister Exume spoke with Mrs. Bertin twice within a few days of receiving the plot information from U.S. officials. However, we found no one who heard exactly what was discussed. None of the family members believe that Justice Minister Exume warned Mrs. Bertin of a murder plot because (1) she told the family the Justice Minister said only that she might be arrested, (2) she did not appear particularly concerned following the conversations, and (3) she would have taken the Minister's warning of an assassination conspiracy seriously and would have taken appropriate precautions. Her father told us, however, that his daughter was aware that individuals plotting to kill her were taken into custody by the MNF.

U.S. officials said that Justice Minister Exume had personally assured them on at least two occasions that he had told Mrs. Bertin that she was in danger and offered her protection, which she rejected. Furthermore, President Aristide provided a written response to the MNF, which stated that Mrs. Bertin had been warned. Minister Exume informed us that he told Mrs. Bertin that the MNF had uncovered a plot to kill her and had detained the alleged conspirators, but he said he did not discuss who they were or why they might want to kill her. He also said he told Mrs. Bertin that she should take necessary precautions and offered her protection, which she declined. He said he also gave her his private telephone number in case she felt threatened. He told us that he was very explicit in the conversation about a threat to her life and did not see how she could have misinterpreted the call. Nevertheless, he noted that Mrs. Bertin did not appear to take his warning seriously, saying that the threat was probably just another ploy to try to force her to leave the country.

A U.N. official told us that during a luncheon meeting she arranged with Mrs. Bertin to explore what was happening politically in the country,

Mrs. Bertin spoke of her conversation with Justice Minister Exume. The U.N. official said that Mrs. Bertin told her that she had received a disturbing call from the Justice Minister during which he informed her that "she was in trouble." The U.N. official stated that Mrs. Bertin appeared concerned and commented that it would have to be very serious for a Minister of the government to warn her and questioned whether the U.N. official could help her if she were arrested.

In a letter dated March 24, 1995, the President of Haiti advised the MNF Commander that his initial investigation of the assassination plot did not indicate that the Haitian Minister of the Interior was involved. The President indicated that Justice Minister Exume would continue to look into the matter. However, the Justice Minister told us that he did not have sufficient time to investigate the accusations before Mrs. Bertin was assassinated, and he was unaware of what inquiries President Aristide had made. U.S. officials indicated they were skeptical that a thorough investigation actually took place. After the assassination, the Federal Bureau of Investigation took control of the investigation at the request of the government of Haiti.

While U.S. laws and regulations did not impose any legal responsibility on U.S. officials to warn Mrs. Bertin directly about the assassination plot, we did note, that shortly after President Aristide returned to Haiti in October of 1994, Embassy officials directly contacted two Haitian citizens to discuss concerns about their safety. Further, after Mrs. Bertin's assassination, the Department of State issued guidelines requiring Embassy officials in Haiti to notify individuals when they have information that a credible threat exists. Since that time, Embassy officials have notified nine individuals of threats against their lives, including members of opposition political parties, former military officers, and members of the government, including the current and former president. Additionally, Department of Defense (DOD) officials informed us that U.S. forces also informed individuals of threats against their safety.

In a separate classified report, we provide supplementary information on each of your questions and a chronology of events relevant to political violence in Haiti.

Agency Comments

DOD, the State Department, and the Central Intelligence Agency reviewed a draft of this report and supplied technical corrections and clarifications, which we incorporated, as appropriate.

Scope and Methodology

To determine who made the decision to ask the government of Haiti to notify Mrs. Bertin and what other approaches were considered to inform Mrs. Bertin about the murder plot, we met with the U.S. Ambassador, the MNF Commander and Deputy Commander, and other officials from the Departments of State and Defense in Haiti and in Washington, D.C., and officials from the National Security Council. We also reviewed unclassified and classified cables, memorandums, personal journals and reports, and submissions to congressional committees from these organizations.

To determine the information that was available to decisionmakers on the possible involvement of Haitian officials in political violence, we reviewed classified cables, memorandums, and reports from the State Department, National Security Council, MNF, and Defense Intelligence Agency. To attempt to determine whether Mrs. Bertin was actually warned of the plot, we met with current and former officials from the government of Haiti and the United Nations, and interviewed members of Mrs. Bertin's family.

We researched federal statutes and regulations and spoke with or received information from general counsels from the Department of Justice, Federal Bureau of Investigation, Drug Enforcement Administration, Department of State, and DOD to determine whether regulations or guidelines existed regarding threat warnings. To determine whether the United States has subsequently warned any individuals in Haiti of threats against their lives, we met with the U.S. Ambassador and other Embassy officials and reviewed cables and memorandums.

We did not receive access to staff or information from the Central Intelligence Agency or Federal Bureau of Investigation interview summaries. Additionally, former President Aristide did not respond to two requests: to meet with us or to respond to a set of questions regarding the assassination. The former Prime Minister declined the U.S. Embassy's request that he meet with us. Furthermore, it should be noted that because individuals' recollections of dates, conversations, and events that occurred over a year ago varied, the accounts of events we received were not entirely consistent.

We conducted this review from June to November 1996 in accordance with generally accepted government auditing standards.

We are sending copies of this report to the Secretary of State, the Secretary of Defense, the Attorney General, and appropriate congressional committees. We will also make copies of this report available to others upon request.

If you have any questions about this report, please call me on (202) 512-4128. The major contributors to this report are Jess Ford, Ronald Kushner, Richard Newbold, Jose Pena, and Joan Slowitsky.

A handwritten signature in black ink, appearing to read "Jess Ford for".

Benjamin F. Nelson
Director, International Relations
and Trade Issues